

Athens City Planning Commission
Minutes of Public Hearing
September 2, 2021, 5:30 p.m.

The Athens City Planning Commission held a Public Hearing regarding R-10-21 in City Council Chambers on September 2, 2021

Attendees: John Wharton, Michelle Wilson, Gil Moore, Glenn Matlack, Robert Delach, Aimee Delach, B. Hollow, K. Williams, Alan Swank, Zach Reizes, Elizabeth Story, Joan Kraynanski, Ms. Grover

1. **Call to Order**

Steve Patterson called the meeting to order at 5:30 p.m. and administered the oath to those in attendance wishing to speak before the commission.

PLANNING COMMISSION MEMBERS:

Steve Patterson, Chair	Present
Nancy Bain, Vice Chair	Present
John Kotowski	Present
Austin Phillips	Present
Andrew Stone, Service-Safety Director	Present

STAFF:

Paul Logue, City Planner	Absent
David Riggs, Code Enforcement Director	Present

2. **Public Hearing for Case #21-03**

City Council Resolution R-10-21

Request to consider amending Athens City Code Title 23, Zoning Code, Off-Street Parking, and Table B, Off-Street Parking Requirements.

Planning Commission Chair Steve Patterson explained background and summary, and reviewed the purpose and the rules of the public hearing. Some previous communications were read into the record (S. Hunter, M. Papai). *These communications, and additional written communications either submitted prior to or after the hearing are attached to these minutes.*

Code Enforcement Director David Riggs noted that the resolution has undergone staff review and that there are some concerns. He is looking forward to hearing from the residents tonight.

John Wharton/no address provided

- Landlord since 1980, and manages/owns 500 bedrooms.
- No logic in stacked parking being allowed in R1's and R2's and not in R3's.
- Have to create parking to comply with the parking regulations.
- Cars are smaller now so the sq. ft. requirement reduction is ok.
- Some parking should be allowed on site.
- Students *do* bring cars to campus. You do need to have on-site parking.

- Don't allow leased parking to comply. Code can't follow leases even when they are fully staffed.

Joan Kraynanski/56 Mound Street

- Many of the changes relating to sustainability and excess parking requirements, etc. are actively addressed by the BZA. For example, joint use parking, reduction in spaces, brick or green paving, installation of solar panels.
- Concerned that the codification of parking and joint use changes gives final approval to Code.

Michelle Wilson/no address provided

- Small business owner.
- In favor of reducing regulations over parking.
- Likes the proposed 400 sq. ft. of a business requires a parking spot, and that the distance to a spot has increased from 250 ft. to 1,000 ft.
- Shared parking is a plus.
- Likes parking changes near transit rule.

Betty Hollow/31 Maplewood

- She read the cities explanation of the 24-hour parking ordinance.
- Reducing parking regulations will take us back to the 1980's and the problem of storage parking that was only addressed in the late 1980's.

Aimee Delach/Environment & Sustainability Commission

- The Environment and Sustainability Commission has reviewed the proposed changes and is in official support of this resolution, as it aligns with the Sustainability Action Plan. Her comments are attached.

Glenn Matlack/Morris Avenue

- Supports the resolution because it would encourage economic development/job creation, it will maintain the urban fabric of uptown, and it will help to moderate environmental impacts.
- Discussed his research.

Alan Swank/40 Townsend

- Was planning for a discussion and not making a 3-minute statement. Disappointed that the people who can answer questions are not here tonight.
- City Council's Planning Committee (2 of the 4 members) apparently did not know about this resolution until it was introduced in committee.
- This is a "catch-all" ordinance that tries to solve too many problems.
- The 1,500 ft. within a bus line rule will result in safety hazard concerns on the near eastside.
- Parking issues do exist in Athens, but send this back to council so they can form a committee.

Zach Reizes/no address provided

- Renter and OU graduate.
- In favor of amendments.
- Will have net positive outcomes for Athens.
- Numerous studies report that cities with reduced parking requirements for new development have a decrease in rental rates. Parking adds 17%.
- Reducing parking requirement is a necessary and positive for Athens.

Joan Kraynanski/56 Mound Street

- (Elizabeth Story, N. Congress St. gave Joan K. her allotted time)
- How are contentious changes in Athens historically approached? City establishes a committee (rental sign committee, noise committee). Both these committees came up with a compromised plan.
- Requesting the Planning Commission to send this back to City Council to request a committee.
- Had a question about 23.08.06 exceptions for non-transient sites (2C, 2F)

Rob Delach/124 Morris Avenue

- This movement is widespread in the US and is widely accepted as a good way to manage cities and encourage smart growth.
- Unproductive empty parking spaces don't add value.
- This will enable options for renters to pay for parking or not.
- 10% of Athens city households don't own cars.
- This is an equitability and social justice issue as well.
- This will help with sustainability and is climate friendly.

Ms. Grover/Franklin Avenue

- Permanent residents have permanent parking spots. She has to park on the street on Franklin. With the students back it is hard to find parking. Has the 72-hour parking permit program been dropped?
 - Steve P. replied that it still is a program, but no spots are actually assigned. The program gives relief for not having to move your car every 24 hours.

Alan Swank requested that he be allowed to ask the Code Enforcement Director some questions. Steve P. allowed two questions per person and also pointed out that there will be continued opportunities to ask questions at upcoming meetings.

Alan Swank/40 Townsend

- Where did the 1,000 ft. designation come from?
 - David R. – he was not privy to that. 1,000 ft. is close to ¼ mile.
- Re: joint use facilities, how will the names/addresses of tenants be tracked?
 - David R. – is concerned about that as well. It would be difficult for the Code Office to manage.

Joan Kraynanski/56 Mound Street

- Re: exemptions, allowable uses. Property owners are to conduct a parking study to be approved by the code office? Would annual assessments of each property become burdensome on the department?
 - David R. – yes, annual assessments would be difficult.

Michelle Wilson/no address provided

- 1,000 ft. is walking distance from an office. Her office can only see one person at a time, so the exemption makes sense for her business.

Glenn Matlack/Morris Avenue

- In response to Alan S. comments, $\frac{1}{4}$ - $\frac{1}{2}$ mile is commonly used by city planners as acceptable pedestrian distance.
- How does the Planning Commission expect this to play out on rental space demand and demand on student parking? The numbers point to a decreasing demand.
 - Steve P. – it is an unknown.

Steve Patterson noted that there will be more opportunities for public comment at upcoming Planning Commission meetings.

3. **Adjournment**

The meeting was adjourned at 6:38 p.m.

Steve Patterson, Planning Commission

Patricia Witmer, City of Athens

Patricia Morris-Witmer

From: Steve Patterson
Sent: Saturday, July 3, 2021 10:57 AM
To: Alan Swank; Andy Stone; Patricia Morris-Witmer; Tom Pyle
Subject: Re: Parking proposal

Categories: Boards & Commissions

Alan,

Thank you for your comments and request. Thus far you are the first and only individual to contact me about the Council adopted resolution that is now before the Athens Planning Commission. As the Chair, I do have the authority to call for a public hearing. However, much like that of the Short-term Rental ordinance that was sent to the Planning Commission by City Council, the Planning Commissioners needs to hear from multiple opponents (and proponents if they wish) of the proposed off-street parking amendments in order to call for a public hearing. Thanks again, and I will share your request to the other members of the Planning Commission.

Sincerely,

Steve

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From: Alan Swank <alanswank1@gmail.com>
Sent: Thursday, July 1, 2021 6:10:03 PM
To: Steve Patterson <spatterson@ci.athens.oh.us>; Andy Stone <astone@ci.athens.oh.us>
Subject: Parking proposal

Mayor Patterson and Director Stone -

I just had an opportunity to watch today's planning commission meeting. It was great to see everyone in one room after a long hiatus.

I'm writing today to request that the planning commission conduct a public hearing on the proposed changes to code. In talking with over 600 households this spring about the issues facing the city, parking was a concern of many individuals. Additionally, I've talked with uptown landlords about the current and proposed parking guidelines and rules and they have shared some unique and very good ideas on how to address this issue.

I'd ask that you share this request with the other members of the commission because I could not find their email addresses listed on the city's website.

Thanks,

Alan

Steve Patterson

From: Carolyn Sweeney <sweeney-cs@columbus.rr.com>
Sent: Monday, August 30, 2021 9:49 PM
To: Chris Knisely
Cc: Christine Fahl; Sam Crowl; Steve Patterson; Paul Logue
Subject: Re: Proposed parking changes

Chris,

Thank you so much for the attachments. From the examples (esp. Follett's) I can now see that the gist of the proposal is about parking lots, whereas I mistakenly thought the City was looking to squeeze more cars on-street. I misread a Near East Side Facebook post, and I apologize for that. Also, I'm glad to know the Council is striving to make development more walkable and affordable.

I appreciate you cc'ing others on your response so that shared driveways are not accidentally adversely affected by changes made.

Thank you for your quick response and for your service to the community.

Carolyn Sweeney

Sent from my T-Mobile 4G LTE Device

----- Original message -----

From: Chris Knisely <cknisely@athenscitycouncil.com>
Date: 8/30/21 7:06 PM (GMT-05:00)
To: Carolyn Sweeney <sweeney-cs@columbus.rr.com>
Cc: Chris Fahl <cfahl@athenscitycouncil.com>, Sam Crowl <scrowl@athenscitycouncil.com>, Steve Patterson <spatterson@ci.athens.oh.us>, Paul Logue <plogue@ci.athens.oh.us>
Subject: Re: Proposed parking changes

Carolyn,

I know that you and Michael have many other concerns at this moment and appreciate your taking time to write. It's helpful to hear about your specific experiences on East State Street with a shared driveway and your concerns about whether "an exception is intended for driveways that are shared between properties".

I'm copying several folks who are involved in the proposed changes, knowing that there is a public hearing on 9/2/21.

I'm not sure that the proposed changes have an exception for the shared driveway.

I've copied the minutes from the Planning Commission meeting earlier this summer, which includes an explanation from Council Member Fahl, and a copy of the resolution approved by Council. Reference to the new regulations on pages 5-6 of the attached document refers to a "broad set of changes to zoning regulations that will include a reduction in parking space minimums and allow creation of shared use parking agreements to satisfy parking requirements".

I haven't answered all your questions but hope that others can assist with additional insights.

Sincerely,
Chris Knisely,
Athens City Council

On Mon, Aug 30, 2021 at 3:54 PM Carolyn Sweeney <sweeney-cs@columbus.rr.com> wrote:
Christine Knisely,

With my husband at home in hospice and COVID numbers rising, I'm not inclined to attend an in-person council meeting right now. However, to the degree that I understand the proposed parking changes, I'm concerned about them and just want to voice that to you.

I confess I'm not one for understanding legalese, but it seems that some goals are to 1) decrease the max size of on-street spaces in order to squeeze in more on-street parking and 2) allow renters/residents to share off-street spaces if they have non-conflicting parking schedules, and 3) consider the driveway itself as legal for parking. Correct me if I'm misinterpreting.

As a year-'round homeowner who shares a driveway with a student rental on the uphill side of a busy street (address: 156 East State Street), I find these goals problematic. Also, they seem to go against the city's stated plan to make the streets more pedestrian and bike friendly.

During the school year, four vehicles (these days, all SUVs) typically park in front of our house. Sometimes a fifth squeezes in. Because the hill forces an obtuse turn, as opposed to a right-angle turn, it is already difficult to negotiate a right turn from the driveway without turning into the oncoming lane. Allowing additional vehicles will further reduce the sight line and make turns more difficult. Also, encouraging more vehicles on Athens's roads, in general, will make entering roadways, already a difficult task, even more so. Drivers increasingly flout the 25 mph speed limit, the City does not maintain curb markings, Parking Enforcement does not enforce adherence to those markings that exist (even when asked), and APD has higher priorities than traffic speed enforcement.

Although these are observations made from our own property, I'm sure other property owners in town face the same issues.

An aside: The sight line going south on East State toward the Morris Avenue intersection is already dangerously short. Vehicles parked on the uphill side of East State here obliterate a driver's view of pedestrians attempting to cross East State.

In reading of the proposed sharing of off-street spots (based on parking schedules), I'd like to know if an exception is intended for driveways that are shared between properties. That would seem logical, but as there's no indication in what I read, I'll share my own experiences on this.

First, year after year, renters' parents pull into our shared driveway and start unpacking vans without even a heads up, and we get boxed in. This happens even when there are open on-street spaces abutting the driveway, but parents/renters typically will move the vehicle when asked if on-street parking is available nearby. By cramming in other vehicles, the city ensures that this behavior becomes inescapable.

Second, who's going to guarantee that student schedules won't change throughout their rental term? When four vehicles (the limit) are parked next door, we ask the students to park in a particular way so that we can turn and not be forced to back down onto East State each time we leave. If someone is trying to get out of the driveway

while another vehicle is trying to enter, the first driver must return to their spot to allow the other vehicle in. Backing up onto East State is not an option when you're midway through a turn before seeing a driver hidden from view. (This happened this week when a student was using our carport to turn around.) Regardless of the rules, a fifth vehicle frequently boxes us in because a new or visiting driver "doesn't realize" the driveway is shared, doesn't read the sign, or--more often--plans to be there "just a few minutes" so thinks it's okay to block the driveway. I cannot fathom the nightmare that would result if cars were allowed to park there in shifts.

As I say, some of what is proposed might not apply to us because of some superceding shared driveway regulations. However, I think that some of what I'm saying may be experienced by other homeowners and should be considered as the council considers its proposals. We have a populace of drivers who are glued to cell phones, even on the most busy streets and near schools, who routinely ignore stop signs, who blow through crosswalks (such as outside the Village Bakery and at Morris Ave. and East State). The City should be doing what it can to discourage more cars in Athens, not to encourage them.

Finally, I read a comment suggesting that the changes were proposed just to allow landlords to accommodate more renters. If that is so, please ask yourselves whether you want the increased congestion and noise levels? (Several friends paid us porch visits this summer because my husband couldn't get out, and the traffic noise made it nearly impossible to hear people who were seated within six to eight feet of us.)

I hope my experiences shed light on the potential problems the proposed changes.

Carolyn Sweeney

Patricia Morris-Witmer

From: Stephanie Hunter <hunterstephanies@yahoo.com>
Sent: Wednesday, September 1, 2021 10:30 AM
To: Patricia Morris-Witmer
Cc: Paul Logue
Subject: Submitting comment for the public record to the Athens City Planning Commission regarding the proposal to amend Off-Street Parking and Loading/Unloading Regulations in the city zoning code

Dear Planning Commission;

As I will be most likely unable to attend the hearing on September 2nd about the parking ordinance amendment, I am sending a letter of support.

This reduction in parking minimums is a fantastic idea. Parking requirements hurt every single person in Athens. They drive up the cost of new builds by requiring developers to buy more land and landlords to pave over yards. They keep people in poverty by raising rents to pay for parking. They endanger small children by creating hot-spots of driver inattentiveness. Parking Minimums also create literal hot spots, heat islands that make shopping dangerous for anyone with a health condition, not to mention are ecological disasters. They encourage corruption in politicians when developers strike tit-for-tat deals. Most of all, parking minimums lure more of what they seek to solve: cars that need to park. It's called induced demand, and quite literally it's "if you build it, they will come." And come they have. Athens is full of cars. Athens is bursting with cars.

To date, my son, newly turned four years old, has nearly been hit by a car five times. Each time was within a quarter mile of home, twice directly in front of it. Five times I have screamed in terror to keep a driver from killing my oldest child. I have three children. How many times do they need to be lucky? We need to stop building infrastructure for cars and start building for people. For humans.

Every city in this country is geared towards cars. Why does Athens need to be the same?

Thank you for your time.

Sincerely,
Stephanie Hunter
204 Elmwood Place
Athens

Patricia Morris-Witmer

From: Steve Patterson
Sent: Wednesday, September 1, 2021 11:30 AM
To: Patricia Morris-Witmer
Subject: FW: Comments on proposed legislation

Fyi...

From: Milt Greek [mailto:miltgreek@gmail.com]
Sent: Tuesday, August 31, 2021 2:02 PM
To: Nancy Bain Council 3rd Ward <bainn45701@gmail.com>; John Kotowski <jkkotowski@gmail.com>; Andy Stone <astone@ci.athens.oh.us>; Steve Patterson <spatterson@ci.athens.oh.us>; Austin@southeast-beverage.com
Cc: Arian Smedley <asmedley@athenscitycouncil.com>
Subject: Comments on proposed legislation

Greetings,

I am writing to express my concerns about the recent legislation proposed by Councilmember Fahl that would eliminate parking requirements for rentals and other units. Because of personal loyalties to Councilmember Fahl and City Planner Paul Logue, I am choosing not to speak on this matter publicly or to organize opposition to it.

In short, I argue that the current parking regulations do serve the people of Athens, rather than simply being about parking. I will try to present concrete, actual facts in Athens to support this, following Planning Commission member Bain's reference to the "real world" of Athens.

- Since 2005, my wife and I have privately owned six city lots adjoining Rardin Avenue, allowing it to be community green space—a de facto pocket park. This was prevented from being developed by the parking restrictions; had it been, a developer would have built apartments there, causing disruption to the community of family homeowners who live around it. Instead, it has been a magnet maintaining young families and a safe, friendly community in which we have seen children growing up together as friends and neighbors. As a measure of the value of this pocket park, neighborhood potlucks held every other year have normally brought together 100 to 120 people, serving to connect neighbors to neighbors. The city planner, Paul Logue, attended one of these potlucks and I heard through a neighbor that he remarked on the value of the gathering to the neighborhood. Though purchasing and maintaining the property as community natural space has cost my wife and I between \$60,000 and \$70,000 or more, we are grateful to have a stable community of families around us. Without the parking laws as they currently exist, none of this would have been possible.
- Throughout the near westside and inner neighborhoods of Athens, numerous houses exist that, due to topology and setback laws, it is impossible or cost ineffective to install parking, making these homes anchors for long-term residents. This has helped stem the wave of conversion of owner-occupied homes to rentals that occurred prior to the parking restrictions throughout the Byard to First Street over to East State Street approximately to Highland and Columbia Avenue. These areas are marked by declining housing stock, isolated long-term residents, and lack of community. In recent years, First Street, Brown Avenue, and Byard have also been marked by shootings and murders, bringing media and community attention to the disruption caused by the lack of community in the area. Our home on Hanlin is part of the border between these areas and the community of families and long-term residents north of us. I would argue that to help deal with the declining housing stock and lack of community in these areas, the city should be seeking to increase owner-occupied homes in this area. Without the parking restrictions, it is likely that the expansion of areas of primarily rental housing will resume, bringing to our westside and inner neighborhoods an expansion of these troubles and a thwarting of our efforts to rebuild a community of families in our neighborhood.

- An example of an anchor for long-term residents is 9 Hanlin, which my wife and I purchased and are having fixed up after it fell in disrepair after the former owner fell into ill-health. Our costs for this home currently exceed \$150,000, but with current parking laws when we sell it we do not need to fear that an unscrupulous landlord will purchase it, turn it into a rental, and then leave it to again fall into disrepair. With the proposed change to the rental parking laws, we will not have any assurance that our work and money will not be a wasted effort.
- In speaking with Councilmember Fahl and Councilmember Smedley a few weeks ago, Councilmember Fahl and I repeatedly disagreed on how the code office would interpret the changes in the law. Many of the statements that Councilmember Fahl made seemed to not follow from the existing code or the changes being proposed. As an example, Councilmember Fahl indicated that current code allows homeowners to rent one or two rooms out of their homes without having a rental permit. This contradicted my understanding. I emailed the code office and Councilmember Fahl separately and asked about this. The code office indicated that rental permits are needed for these circumstances; Councilmember Fahl insisted in her email that this was not the case. I copied some of Councilmember Fahl's email with her interpretation into my exchange with the code office and the code office reiterated that rental permits were needed. I can forward both email exchanges, if commission members wish to compare the exchanges for themselves. In addition to this incorrect interpretation of current code, I note that Councilmember Fahl has referred to code in Buffalo and Minneapolis, which are large metropolitan areas with housing markets far different than our small college town, but has referenced few actual facts regarding our community. Given these errors and inappropriate comparisons, I have concluded that the research done by Councilmember Fahl is not sufficient and is not representative of the conditions in our community.
- Making sweeping changes to code that have existed for decades and which have been important in maintaining a community of long-term residents without proper research and while having errors in fact about the current code's interpretation is not a wise approach. Based on my experience in the real world of Athens, it is likely to destabilize the community my wife, myself, and many others have worked to support for decades. Given our concerns, if this legislation becomes law my wife and I will feel compelled to be prepared to abandon our decades of work and find a home outside Athens or resume political organizing to defend the gains made in the past two decades. We relish neither option.

Given these and other concerns, I urge the Planning Commission to request a thorough study of current parking needs in Athens and an assessment of the likely impacts of these sweeping changes prior to these changes being returned to council for consideration. This evidence-based approach to city planning in the real world of this community seems the least to be expected when sweeping changes to twenty-year-old code are being advocated.

Sincerely,

Milt Greek

Founder, Citizens for Our Neighborhoods
 Co-chair and Volunteer Coordinator, Wiehl for Mayor Committee (2007)
 Chair, City of Athens Town Hall Committee
 Volunteer Coordinator, Mayor Wiehl for Re-election Committee (2011)

Steve Patterson

From: Michele Papai/Drabold <michelepapai@gmail.com>
Sent: Thursday, September 02, 2021 9:40 AM
To: John Kotowski; Andy Stone; Steve Patterson; Austin@southeast-beverage.com; Nancy Bain Council 3rd Ward
Cc: Sam Crowl; Sarah Grace
Subject: Proposed parking changes

Dear commission members,

I am writing as a long term resident of the North Hill neighborhood, retired zoning board member and retired city council member.

The parking regulations as they currently stand for R-1 neighborhoods are a core foundational code that has stabilized our neighborhood and others over the past 20+ years.

I note that a citizen review process that includes those that have an historical perspective/knowledge would be an effective avenue to pull the community together on such a significant issue. No restrictions within 1500 ft from a transit route in this city would have significant adverse consequences in R-1 zoning. This is just one issue that concerns myself and my neighbors.

As a founding member of the Affordable Housing Commission, the proposed parking changes strike me as a change that would have far reaching effects on limiting the availability of quality housing stock in the city limits.

I urge the commission to vote down this measure as currently proposed.

Michele Papai
240 N. Congress st.

Steve Patterson

From: David Roche <catfishdave@gmail.com>
Sent: Thursday, September 02, 2021 12:59 PM
To: Steve Patterson
Subject: Athens City Code Title 23

Good day,

I would like to express my strong opposition to Athens City Code Title 23 in regards to Off Street Parking.

I have lived in Athens since the 1990s, and am deeply concerned about the negative changes that this proposed amendment would bring. Landlords are already digging into hillsides, destroying green areas, all to build new parking spaces. The house just down from us has 9 cars parked in an area that used to be a lawn! How can there possibly be 9 students living in one normal-sized house?

A few years back, a small parking lot was build down from us, and they cut off our drainage lines. The problem took a while for us to discover, and it has since caused us thousands of dollars in repairs. Several different plumbers informed us that the line had been blocked off in the exact spot that the parking lot was dug out of the hillside.

But this is more than just our own personal "inconvenience". The city of Athens is beautiful, we absolutely love it, and we don't want to see landlords filling houses beyond a safe occupancy limit (which may already be the case at the house with 9 cars parked next to it, as I mentioned), leaving tenants to park on lawns, blocking driveways, with the community responsible for calling Parking Enforcement or police.

In conclusion, I strongly oppose any amendment to Athens City Code Title 23.

Thank you,

David Roche
8 Fort Street

Steve Patterson

From: Christine Miles <leading.edge.gems@gmail.com>
Sent: Thursday, September 02, 2021 1:21 PM
To: jkkotowski@gmail.com; Austin@southeast-beverage.com; Andy Stone; Steve Patterson
Subject: Not Rhetorical Questions

WHY are you sacrificing our neighborhoods at the alter of the University once again?!
Shouldn't OU be providing secure parking off-campus for students residing off-campus, including transportation to and from class sites? Instead, OU COUNTS on our town folding and giving more and more and more at the expense of residents. We are sick to death of this treatment by the supposed "Planning Commission."

Do right, folks. Stop this monstrous proposition in its tracks. You're supposed to be acting in support of our town, not a few wealthy property-spewers littering the town and sucking it dry of worth for any full-time resident.

Get this right.

Christine Miles

Athens resident since 1967

at 8 Fort St. since 1988

Designer of the flag of Athens

Lover of our Town

Steve Patterson

From: Diane McVey <dmcvey275@gmail.com>
Sent: Thursday, September 02, 2021 2:03 PM
To: Nancy Bain Council 3rd Ward; jkkotowski@gmail.com; Austin@southeast-beverage.com; Andy Stone; Steve Patterson
Subject: Planning Commission Public Comment

Dear Planning Commission Members:

While I am unable to attend, I would like to comment. First, I wish to commend the City of Athens, City Council and in particular, Councilperson Fahl for the tremendous amount of thought and work in trying to update our city code to improve our community and allow the healthy progress Athens needs. It certainly is a great challenge to write changes that will be understandable to most but stand up to legal interpretation and enforcement by our Code Officers. I believe the process so far has involved the City Planner and the code office and as a citizen of Athens for over 50 years, I support these professionals.

Second, current parking requirements are outdated and need changed to prevent unneeded paving over of green space and better utilization of current parking areas. The proposed changes seem to still require extra parking spaces if there are multiple unrelated occupants. Many current run down rental houses could be purchased by younger families or turned into family rental stock if parking requirements were based on occupants instead of just bedrooms. Currently, anyone wanting to convert back to single family use any "student rental" must keep the rental permit going or risk losing their grandfather status of limited parking and reducing their resale value. Many houses have no or very limited onsite parking but realistically are within walking or biking distance to uptown etc. The long term comprehensive plan of better access for walking and biking in Athens certainly is desirable.

Third, I assume the 24 hour parking rule is still in place to prevent "storage parking" of student cars on our neighborhood streets.

I am concerned about the "within 1500 ft of" bus stop change, as bus stops can change and the logistics of the code office handling that may be problematic.

Thank you for considering my input.

Sincerely,
Diane McVey
83 Grosvenor Street

Steve Patterson

From: Dahn, Karen <dahn@ohio.edu>
Sent: Thursday, September 02, 2021 3:03 PM
To: John Kotowski; Bain, Nancy; Austin Phillips; Steve Patterson; Andy Stone
Cc: Sam Crowl
Subject: Please Vote NO to Parking changes

Hello Commission members,

I've been a resident of N. Congress since 1992 and much has changed. Back then it took strong and unified voices from the close-in neighborhoods to get the attention of city leaders about the myriad of problems linked to "anything goes" rentals. The most pressing irritants, parking and noise, were mitigated fairly well, and to my relief, and certainly, to the City's advantage, N. Congress stabilized. Most neighbors, who then were so utterly frustrated with quality of life issues they were openly talking about moving, are still here--thanks to the implementation of policies to control such basic irritants as parking.

I'm writing to you because again, I believe quality of life may be on the line. To promote sustainability and development (?), Chris Fahl's extensive revision of current parking regulations, that among other things, would eliminate the one parking space *per* resident rule, (which requires a 3 bedroom lease in an R-1 neighborhood, for example, to *provide* THREE parking spaces (not just somewhere on the already crowded street), also takes away the authority of the citizen led BZA to deal with variances. Turning these decisions over to the Code Office is a serious THREAT to our peace and tranquility. And, what possible benefit can be had from eliminating parking requirements in houses 1500' from the bus route? This impacts a huge swath of the city!! Is the idea that if the typical car-driving 20 year old doesn't have a designated space he/she will leave the car in Columbus and happily start riding a bike to Kroger instead, or, just take a bus (that doesn't run on Sundays or holidays) to Walmart for grocery shopping? **PULeeze**. Those cars WILL be brought to Athens anyway, ending up stacked in the residential neighborhoods all along the bus routes.

Not requiring sufficient parking for renters eliminates our last line of defense, and what little leverage we residents have to address overcrowding and over parking (and the consequences--additional noise, parking, trash, vandalism, etc.). Quite certainly, the willingness of home owners to age in place, instead of moving away after retirement, or the interest of new families in purchasing homes that *appreciate* in value, will be severely compromised if parking restrictions are lifted. It's absolutely discouraging to think the hard work two decades ago that made our neighborhoods so much more liveable for EVERYONE, could be erased by misguided changes.

As I understand it, the proposal under consideration eliminates the need to designate parking for all dwellings, including rentals. If so, is the intent to *increase* the unbelievable number of rentals already in Athens by making it that much easier and cost effective to turn over a former owner occupied home to a rental? Who stands to benefit? I am trying to understand the goal of the proposal that certainly does one thing--it ties home owners' hands behind our backs when it comes to what will happen to the empty house next door.

PLEASE vote NO on these changes in their current form. Much more community input is required before any changes should be made to parking requirements that have worked well for many years.

Thank you very much for your time!

Karen Dahn

158 N Congress Street

PS

I hear the former Follet's Book Store is in a sales-pending status, waiting for the expected waiver to convert the building to apartments (40 bedrooms) with only 20 parking spaces. The focus appears to be directed, once again, at only ONE segment of the citizenry of this town--students, plus realtors and landlords. And what about the 20 cars with no arking place???? They will be parked somewhere.....

For anyone who is involved in, or aware of, the efforts of the Age Friendly Athens committee's work to meet the 8 domain requirements of AARP and the WHO, designating our county as "AGE FRIENDLY," it is disheartening to anticipate the further decline of "our" uptown area into even more of a student ghetto than it already is, by adding FORTY more beds (plus, I hear, another 20, a bit further down Court Street, already a done deal!). Let's be honest! What on earth is attractive about Court Street anymore to anyone over the age of 30? Senior citizens, and even families with young children, are hesitant about venturing anywhere near uptown, to The Athena, or to an uptown restaurant, especially at night or weekends.

Who is thinking about the needs of the Athens community AS A WHOLE? If you want sustainability and development uptown, how about doing something radical like closing Court Street to traffic on Sundays during the summer (Summer Sundays) and turning the entire area into a walking, sitting, strolling plaza, open to the entire community--seniors with walkers, toddlers, people with limited mobility, kids, college students, EVERYONE--as a way to INTEGRATE all ages and interests of this lovely town (as it's done in Italy, Mexico, and lots of places, where COMMUNITY means EVERYONE).

We live in an age-SEGREGATED town. Let's think of ways to change that to Age Friendly, a community for all, city leaders. Eliminating parking restrictions is NOT one of them.

Sent from my Verizon, Samsung Galaxy smartphone
Get [Outlook for Android](#)

Patricia Morris-Witmer

From: Michael Lachman <lachman@ohio.edu>
Sent: Thursday, September 2, 2021 3:55 PM
To: Patricia Morris-Witmer
Cc: Paul Logue
Subject: Public record comments for tonight's Planning Commission meeting on off-street parking
Attachments: Title 23 Comments - Michael Lachman.pdf

Dear Ms. Witmer,

My name is Michael Lachman, and I'm a resident of the City of Athens, OH at 55 1st Street. I'm submitting comments for the public record on the proposal to amend Chapter 23.08 of the Athens City Zoning Code, Off-Street Parking and Loading/Unloading Regulations. A pdf copy of those comments is attached for distribution to members of the Athens Planning Commission.

All the best,

Michael

Dear Members of the Athens City Planning Commission,

As a lifelong Athenian and a transportation planning professional, I'm writing to express my support for the proposed amendments to Chapter 23.08 of the Athens City Zoning Code, Off-Street Parking and Loading/Unloading Regulations.

My past role as manager of Athens Public Transit acquainted me with case studies in how the reduction of off-street parking minimums effectively promotes the use of active transportation alternatives such as walking, biking, and transit. But I'd like to focus on two other issues: the impact of parking minimums on storm water management and flood control, and the effect of continued off-street parking development on the financial health of local government.

Days ago, the Intergovernmental Panel on Climate Change issued a report confirming that disruption is accelerating globally. In a departure from past generations of reporting, the IPCC has begun to attribute the observed uptick in the frequency and severity of storm events to climate change with a high degree of confidence. The U.S. EPA forecasts intensifying episodes of heavy rainfall for the Eastern United States generally and our foothill region specifically, and the attendant flooding, erosion, slippage, and infrastructure damage presents a problem that will grow in scope as time goes on.

Laws that mandate off-street parking compound this problem. By encouraging conversion of land to impervious surface area, they serve to increase the stormwater management burden. I grew up in the Mill Street neighborhood, and I can speak from personal experience how this played out there: the combination of per-occupant parking minimums and a gold rush to capitalize on increasing rental demand by adding units in an R3 zone led landlords to pave the majority of the neighborhood's backyards between the years 1990 and 2005. A recent satellite image captures the extent of the transformation.



Now for the financial impact. Current per-occupant parking requirements drive demand for conversion of distressed residential and business uses to satellite parking, which, to phrase it bluntly, punches revenue craters in the local tax map. Again, a concrete example: in the past year and a half, two new surface lots were approved near where I live, along Carpenter and

Lancaster Streets. Both replaced residential rental uses, and they appear to support additional occupancy permits at rentals nearby. The reduction in assessed property tax revenue from TY 2019 to TY2020 was 76% in the case of one lot and 78% for the other. Together, their conversion to off-street parking has created an annual loss of over \$5,500 in County tax revenue, a portion of which is allocated to fund the Athens Soil and Water Conservation District. These cases also underscore the fact that our off-street parking framework is continuing to drive paving, even in a moment of depressed rental demand.

To summarize, the current regulatory regime promotes a pattern of land use that promises to intensify weather disaster impacts for all Athenians, even as it removes financial resources that might be used to guard against those impacts. Whatever the outcome of the current deliberation on policy, it is my hope that members of the Commission recognize that the status quo has not served Athens well in the past and will be even less effective in the future. Better regulations, and better outcomes, are possible.

Sincerely,

Michael Lachman
55 1st St
Athens, Ohio

Patricia Morris-Witmer

From: Matlack, Glenn <matlack@ohio.edu>
Sent: Thursday, September 2, 2021 4:23 PM
To: Mayor Contact; Paul Logue; Andy Stone
Subject: Comments regarding R-10-21 Amendments to Parking Code
Attachments: Parking Requirments.docx; Albanese and Matlack 1998.pdf

Dear Planning Commission,

I strongly support R-10-21, Amendments to Parking Code. Detailed comments are attached. In addition, I attach a paper about parking space occupancy that I published a few years ago.

Thank you,
Glenn Matlack
Athens, Ohio

September 2, 2021

To: City of Athens Planning Commission

From: Glenn Matlack, Resident of Athens

Re: Comments regarding R-10-21, Resolution to Amend Off-street Parking Requirements

I support of the Resolution to amend parking requirements. Based on my experience, the amended code will benefit the City by

1. Encouraging economic development and thereby creating jobs for citizens of Athens City and the surrounding County.
2. Maintaining the urban structure of Uptown by controlling development of parking lots behind businesses.
3. Moderating environmental impact by reducing impervious surfaces.

Data: This conclusion is based on my own research on parking behavior. I have informally surveyed occupancy rates in Athens parking lots using Google Earth images from March 7, 2020 and October 4, 2015. It is hard to escape the impression that parking is over-built in the City of Athens: On these dates,

Residential rental lots	40-80% of spaces occupied
Retail lots	20-40%
Commuter lots (OU)	90%
Streets on the East Side	2-5%

In a more formal study (Albanese and Matlack 1998; attached), students and I counted cars in retail lots at several dates in Hattiesburg, Mississippi. We found that most lots were largely unoccupied on most dates, including the Christmas shopping season. The excessive size of Hattiesburg parking lots was dictated by a minimum parking area specified in Hattiesburg City Code. It appears that businesses and rentals in Athens are hamstrung for the same reason.

Consequences: An onerous parking requirement forces a commercial investor to purchase real estate that will not profit his business. Such an expense will discourage a potential investor from coming to Athens. Alternatively, an investor in Uptown will have to knock down existing buildings to satisfy the requirement for his own business. There is a danger that the scenic streetscape of Uptown Athens will be perforated by parking lots as we see in nearby cities such as Logan, Nelsonville, and Parkersburg.

An excessive parking requirement obliges landlords to unnecessarily remove greenspace. For example, a rental house near my own home recently put in three spaces to conform to code. The young family that occupies the house uses the third space as a paved patio, not needing it for parking.

Summary: Resolution R-10-21 would avoid these problems by making parking requirements more flexible, by reducing unnecessary paving for new development, and by more efficiently using existing parking spaces. In doing so, it would make Athens more attractive to investors and more livable to residents. I strongly support this resolution.

ENVIRONMENTAL AUDITING

Utilization of Parking Lots in Hattiesburg, Mississippi, USA, and Impacts on Local Streams

BRETT ALBANESE*

GLENN MATLACK

Biological Sciences

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ABSTRACT / Utilization of parking lots around Hattiesburg, Mississippi, USA, was examined to suggest mechanisms for reducing runoff into local streams. Stream health was assessed by a census of fish communities. We found that most parking lots were used well below capacity, even in the peak

shopping period before the Christmas holiday. Levels of utilization were primarily determined by shopping center age and parking availability relative to the size of businesses served. Streams receiving runoff had high undercut banks and heavy sediment loads. Their fish faunas were depauperate compared with a similar-sized stream in a nearby rural area. To moderate the impact of runoff, we recommend that lot size be carefully calibrated to actual parking demand. New businesses should be encouraged to establish in existing, unused parking lots rather than constructing new parking areas.

In the 60–80 years since their widespread adoption, automobiles have profoundly reshaped the landscape of North America. Automobiles have allowed a shift of population out of high-density urban centers, promoting development of new, low-density suburban communities served by greatly expanded road systems (Jackson 1985, Matlack 1997). This restructuring of the landscape has impacted biological communities by destroying habitat, promoting the introduction of exotic species (Schowalter 1988, Knops and others 1995), creating novel habitat types (Garland and Bradley 1984, Getz and others 1978), blocking natural migration routes (Noss 1993), and locally altering the microclimatic and hydrological environment (Miller 1975, Stutz 1986, EPA 1992). The increase in paved surfaces has affected aquatic ecosystems through an increase in the volume and rate of rainwater runoff (Jones and Clark 1987, Limburg and Schmidt 1990). Parking lots, the subject of this study, are only one of many contributors to runoff, but their size and frequency dominate runoff patterns in many suburban areas (Stutz 1986).

Increasing urbanization of landscapes has been correlated with reductions in diversity and changes in the relative abundance of fish and stream invertebrate species (Pratt and others 1981, Shutes 1984, Weaver and Garman 1994). Although causality has been difficult to demonstrate, impacts are probably related to changes

in the hydrological characteristics and quality of surface runoff associated with impervious surfaces (i.e., pavement, roof-tops, etc.). After rainfall, runoff enters streams at an accelerated rate, resulting in erosive floods. Increased stream velocities impose physiological stress on fish and invertebrates and may displace some species downstream (Irvine 1985, Harvey 1987). Severe flooding may wash away important food resources and habitat structure (Gordon and others 1992). Impervious surfaces are also problematic when it is not raining. Since most runoff from pavement enters the stream directly, little water remains in the soil to enter watercourses gradually between rain showers (Stutz 1986). Low water levels decrease the amount of available stream habitat and may cause portions of a stream to go completely dry.

A variety of pollutants enter streams from parking areas, including heavy metals (e.g., cadmium, zinc), oils and fuels, and radiator fluid (Van Hassel and others 1980, Knowles and Stanley 1993). High concentrations of these pollutants are probably lethal to aquatic life, but chronic effects are not well documented. Serious long-term effects are likely because of the tendency for contaminants to adsorb onto stream sediments and to bioaccumulate in aquatic organisms (Van Hassel and others 1980, Pratt and others 1981). Although not derived directly from parking lots, other pollutants (e.g., silt) may be more likely to enter the stream due to increased velocity of surface runoff.

There is a need for parking lots—cars must be parked somewhere. However, building regulations and design practices often produce lots much larger than required by adjacent buildings (Willson 1995). Unnec-

KEY WORDS: Drainage; Fish communities; Mississippi; Parking utilization; Runoff; Suburbs; Urbanization

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essarily large parking lots are an inefficient use of land, an economic burden to developers, and may damage nearby stream ecosystems (Hobbs 1979, Kenig and Hocking 1985, Stutz 1986, Willson 1995). Unfortunately, these concerns are rarely factored in when building codes are written. Instead, local governments typically establish parking lot size requirements based on national or regional standards, which are often not appropriate for local parking demand (Stutz 1986, Willson 1995).

We considered the utilization of parking lots in Hattiesburg, Mississippi, USA, to determine if parking lot size was appropriate for meeting the needs of the retail customer and minimizing the impact on local streams. Stream health was estimated by a survey of fishes in three nearby streams.

Study Area

We examined streams and parking lots in two watersheds in Hattiesburg, Mississippi (89°19' west, 31°18' north). Gordons Creek, which drains urban areas and old suburbs, has been extensively channelized in response to a series of floods in the early 1980s (Corps of Engineers 1986). This watershed includes the parking lots of Forrest General Hospital (FGH) and the University of Southern Mississippi (USM), as well as shopping centers (RS and S&S) and a mall (CLM).

Mixons Creek drains younger suburbs west of town and includes agricultural land and forest in addition to several shopping centers (WM, KM, DB, BA) and a mall (TCM). For contrast with these two developed watersheds, we also examined Clear Run (10 km to the northwest), which drains predominantly agricultural land and still possesses a wide strip of forest along most of its main stem. All three streams feed into the Leaf River system (Pascagoula drainage) and eventually into the Gulf of Mexico.

Methods

Parking lot utilization was estimated by direct counts of cars present during a standardized sample interval. Counts in retail parking lots were made between noon and 2:00 pm on Saturdays, which appeared to be the peak period of weekly shopping activity. University and hospital lots (USM, FGH) were counted between noon and 2:00 pm on Wednesdays, corresponding to the peak demand in those institutions. Each retail lot was counted on three Saturdays in March and April 1997 to represent the background level of parking demand. To distinguish the effect of holiday shopping on parking

demand, lots were also counted on the three Saturdays preceding Christmas 1996. The university and hospital lots were only counted in March and April. Parking lots were selected for large size and a range of business ages.

All parked passenger vehicles were counted as encountered by a single observer sweeping up and down rows of parking spaces. Delivery trucks and moving vehicles were not included. Cars were counted in the public parking area; loading and storage areas were not considered. The total area of each parking lot was determined by pacing off its dimensions on the ground. Parking lot area was considered to include all parking spaces, access lanes, feeder roads, and divider islands within the lot (loading areas were excluded). The area per parking space was calculated for three lots (BA, TCM, WM; mean = 35.7 m²/space $\pm$ 4.0 SD). Close agreement among these lots reflects the standard head-in pattern of parking spaces. Because all lots in the study shared the same pattern of parking spaces, the ratio was used to calculate the number of available spaces in the remaining seven lots. This estimation technique was especially useful in older parking lots where weathering had obscured the painted lines. The area of commercial floor space served by a parking lot was estimated from the outside dimensions of the buildings. Parking demand is expressed as the percent of available spaces occupied and the ratio of car number to total floor space of the business.

To examine the impact of urbanization on nearby streams, fishes were sampled in stretches of Mixons and Gordons creeks 1–2 km downstream of these parking lots on 20 April 1996 and 3 May 1997. As a control for urbanization, a similar sized section of Clear Run was sampled on the same dates. The sampling period lasted approximately 1 h, but effort was greater in the second year because more volunteers were available to complete the sampling. Fishes were collected using a 1.8 $\times$ 3.1-m seine nets with a 3.2-mm Ace mesh. Fishes were preserved, identified, counted, and deposited into the USM Museum of Ichthyology.

Results

Retail parking lots were generally underutilized, both during and after the holiday shopping season (Table 1). The TCM and S&S parking lots approached capacity during the peak-use period just before Christmas, but most retail lots did not exceed 50% occupied at any date. Background levels of utilization (March–April) were considerably lower than pre-Christmas levels in most lots. For example TCM, a large mall, showed 45% lower utilization after the holiday. The S&S shop-

Table 1. Size, construction date, and percent of occupied spaces of ten parking lots in Hattiesburg, Mississippi^a

Parking lot	Construction date	Total area (ha.)	Spaces	Percent utilized					
				Nov-Dec	SD	Max	Mar-April	SD	Max
RS	1970	3.9	1103 ^b	24.5	0.8	25.3	18.8	0.9	19.5
CLM	1970-1974	8.9	2492 ^b	31.9	7.2	42.6	21.5	0.2	21.6
BA	1972	7.4	2074 ^b	6.2	0.9	6.8	9.3	6.1	16.3
DB	1985	4.3	1211 ^b	41.7	4.5	45.5	28.6	1.9	30.6
S&S	1985	1.5	417 ^b	75.8	13.7	89.4	72.7	4.3	77.0
KM	1994	4.1	1152 ^b	41.9	5.1	47.6	27.9	1.2	29.3
WM	1994	5.9	1892 ^b	54.5	4.7	59.1	44.5	5.5	50.0
TCM	1995	17.0	4500 ^b	87.4	10.4	99.1	42.8	3.8	45.7
FGH ^c	1960-1980	2.7	749	—	—	—	90.5	9.9	102
USM ^c	1960-1970	2.9	826	—	—	—	69.5	11.4	82.3

^aIn each sample period, each lot was censused 3-4 times. Maximum observed utilization for each sample period is indicated.

^bNumber of spaces estimated from log area.

^cOpen-access lots only.

Table 2. Parking utilization expressed in terms of gross floor area of buildings served for ten parking lots in Hattiesburg, Mississippi surveyed in November and December, 1996 and March and April, 1997^a

Parking lot	Gross floor area (1000s of ft ²)	Available parking space (parking spaces/1000 ft ²)	Utilization (cars/1000 ft ²)	
			Nov-Dec	Mar-April
RS	147	7.5	1.8 (1.9)	1.4 (1.5)
CLM ^b	558	4.5	1.4 (1.9)	1.0 (1.0)
BA	113	18.4	1.1 (1.2)	1.7 (3.0)
DB	202	6.0	2.5 (2.7)	1.7 (1.8)
S&S	122	3.4	2.6 (3.1)	2.5 (2.6)
KM	127	9.0	3.8 (4.3)	2.5 (2.6)
WM	313	6.1	3.3 (3.6)	2.7 (3.0)
TCM ^b	870	5.2	4.5 (5.1)	2.2 (2.4)

^aMean values for 3-4 sample dates in each sample period are reported. Maximum utilization is indicated in parentheses.

^bMalls.

ping center (dominated by a large supermarket) is the exception, maintaining high utilization (73-89%) on all sample dates. The three lots with the lowest parking utilization (BA, CLM, RS) were the oldest shopping centers in the sample, all constructed before 1975. By contrast to commercial parking lots, the university and hospital lots were heavily utilized.

Relative to commercial floor area (Table 2), lots offered 3.4-9.0 spaces per 1000 ft² (and in one case, 18 spaces). Utilization was considerably below capacity in most cases, ranging from 1.0 to 5.1 cars per 1000 ft².

Habitat quality of streams in Hattiesburg is severely degraded compared to the control. Obvious impacts

include bank stabilization with concrete and gabion walls (Gordons Creek) and severe bank erosion observed in nonchannelized sections (especially Mixons Creek). Both streams show excessive turbidity following rainfall events, and sedimentation of benthic habitats is apparent in Mixons Creek. Habitat heterogeneity is low, in part due to loss of woody debris during exacerbated flooding events. Clear Run, in contrast to the urban streams, has low, gradually sloping banks, clear water, and a diversity of habitat types.

The structure and diversity of fish assemblages reflects these differences in habitat quality (Table 3). A greater number of species and greater abundance of individual species were observed in Clear Run than in either of the urban streams during both years. The two urban streams were dominated by the blacktail shiner (*Cyprinella venusta*), a very common species that is tolerant of turbidity (Robison and Buchanan 1988, Gunning and Suttkus 1991, Mettee and others 1996, Ross (in press)). The bluegill sunfish (*Lepomis macrochirus*) was also relatively abundant in Mixons Creek; this species is a habitat generalist and tolerates degraded stream conditions (Karr 1981, Jenkins and Burkhead 1993). While these two species were collected in the control stream, the control also contained several disturbance-intolerant taxa. For example, only one species of darter (Family Percidae) was collected in the urban streams, while six species were taken in Clear Run. Darters are sensitive to degradation of benthic habitats and are thus a good indicator of stream health (Karr and others 1986, Jenkins and Burkhead 1993). With the possible exception of a few species with uncertain native

Table 3. Number of specimens of each species collected in one rural and two urban south Mississippi streams^a

Family species	20 April 1996			3 May 1997		
	Rural, Clear Run	Urban, Mixons Cr.	Urban, Gordons Cr.	Rural, Clear Run	Urban, Mixons Cr.	Urban, Gordons Cr.
Petromyzontidae						
<i>Ichthyomyzon gagei</i>	0	0	0	2	0	0
Cyprinidae						
<i>Cyprinella venusta</i>	35	55	10	9	12	56
<i>Ericymba buccata</i>	0	1	0	3	8	0
<i>Luxilus chrysocephalus</i>	5	6	0	28	5	0
<i>Lythrurus roseipinnis</i>	336	0	0	40	0	0
<i>Nocomis leptcephalus</i>	1	0	0	11	0	0
<i>Notemigonus crysoleucas</i>	0	0	3	0	4	1
<i>Notropis baileyi</i>	17	0	0	58	0	0
<i>Notropis longirostris</i>	0	4	1	3	4	0
<i>Notropis texanus</i>	3	1	0	0	7	1
<i>Notropis winchelli</i>	2	1	0	2	2	0
<i>Opsopoeodus emiliae</i>	3	0	0	1	0	0
<i>Pimephales vigilax</i>	0	1	0	0	2	0
Catostomidae						
<i>Minytrema melanops</i>	0	0	0	1	2	0
<i>Moxostoma poecifurum</i>	0	0	0	1	0	0
Ictaluridae						
<i>Ictalurus punctatus</i>	0	2	0	0	0	0
<i>Noturus leptacanthus</i>	0	0	0	6	0	0
Esocidae						
<i>Esox americanus</i>	1	0	0	0	0	0
<i>Esox niger</i>	0	0	0	1	0	0
Atherinidae						
<i>Labidesthes sicculus</i>	7	0	0	3	0	0
Fundulidae						
<i>Fundulus olivaceus</i>	0	0	0	0	0	0
	9	0	0	9	1	2
Poeciliidae						
<i>Gambusia affinis</i>	0	0	0	0	1	19
<i>Gambusia holbrooki</i>	0	0	2	1	0	5
<i>Gambusia hybrids</i>	0	0	0	0	0	3
Centrarchidae						
<i>Lepomis cyanellus</i>	0	1	0	2	1	2
<i>Lepomis gulosus</i>	0	0	0	0	1	0
<i>Lepomis macrochirus</i>	0	4	1	4	23	10
<i>Lepomis megalotis</i>	4	1	0	8	2	1
<i>Lepomis miniatus</i>	1	0	0	0	0	0
<i>Lepomis hybrids</i>	0	1	0	0	0	0
<i>Micropterus punctulatus</i>	0	0	0	1	1	0
<i>Micropterus salmoides</i>	0	0	0	0	3	0
<i>Micropterus sp.</i>	0	0	0	0	0	3
Percidae						
<i>Etheostoma lynceum</i>	7	0	0	6	0	0
<i>Etheostoma parvipinne</i>	0	0	0	1	2	0
<i>Etheostoma stigmaeum</i>	3	0	0	2	0	0
<i>Etheostoma swaini</i>	1	0	0	2	0	0
<i>Percina nigrofasciata</i>	0	0	0	2	0	0
<i>Percina sciera</i>	0	0	0	2	0	0
Total individuals	430	78	17	209	81	103
Total species	16	11	5	27	18	9

^aSampling effort was consistent within but not between years. Family names are given in bold.

distributions (e.g., *Gambusia holbrooki*), all fishes collected are considered native to Mississippi.

Discussion

The fish assemblages in Gordons and Mixons creeks are impacted by a variety of factors related to watershed urbanization in Hattiesburg. In part, stream degradation is due to variable stream flow and heavy sediment loading. Runoff from parking lots, although not entirely to blame for the damage, has been a major contributor. Sadly, most of the parking lots examined here are vastly larger than their commercial function requires. The causes of overcapacity are diverse: excessive optimism of developers, waning popularity of older stores, and misguided building codes. The City of Hattiesburg, for example, required 10 parking spaces for every 1000 ft² of commercial floor space between 1989 and 1996—roughly twice the national standard of 4 spaces per 1000 ft² (Willson 1995) and three to five times as great as warranted by the demand observed here. Thus, overbuilding appears to originate in a lack of forethought rather than any form of social or economic necessity. To minimize such environmental damage in the future, we make several suggestions.

New Parking Lots

To diminish impacts by new construction, minimum lot regulations should realistically reflect local demand. The City of Hattiesburg took an important step toward this goal in 1996, reducing parking requirements in new construction to only 5 spaces per 1000 ft². Although useful, this adjusted requirement still greatly exceeds observed demand, even in the peak period before Christmas. Our findings suggest that the requirement could be reduced to 3.0 spaces per 1000 ft² without any negative impact on most businesses. The S&S lot provides an instructive example. Despite only moderate parking demand (2.5–3.1 cars per 1000 ft²) this shopping center maintains a high level of utilization (73–90% full) because it has a relatively small lot (3.4 spaces per 1000 ft²). The nearby KM discount store has a slightly higher parking demand than S&S, but it has much lower rate of lot utilization (28–48% full) because it has a vastly larger lot (9.0 spaces per 1000 ft²). By contrast to the retail parking lots, the university and the hospital, which are not bound by the commercial parking regulations, show a much higher rate of utilization.

Lot utilization is strongly seasonal. Retail parking areas appear to be designed for the brief period of peak demand before Christmas, leaving lots largely empty for the rest of the year. We suggest a scheme of generally

low parking lot size reflecting background levels of utilization, with exceptional measures taken on the few days when parking demand is high. For example, incentives for car pooling and expanded bus services during the holiday season would reduce parking demand without imposing serious inconveniences on motorists (Willson 1995, Kenig and Hocking 1985). Reduced demand has the added benefit of reducing traffic congestion and air pollution (Hobbs 1979).

Shopping centers should be designed to share parking spaces among businesses with contrasting periods of activity. For example, S&S maintains its high occupancy during the control period because it includes a large supermarket. Food, an essential and nonseasonal form of merchandise, guarantees a steady stream of customers year round. Parking spaces could be used more effectively by combining large supermarkets with strongly seasonal businesses such as toy stores.

Old Parking Lots

The low utilization of older parking lots in Hattiesburg suggests that newer shopping centers are luring customers away from older ones. Eventually the businesses leave too, often reappearing in a newer shopping center down the road. Unfortunately, the parking lots of failed businesses continue to shed water long after the original owners have left the site. Abandoned parking lots form extensive “brownlands” around Hattiesburg—suburban deserts of cracking asphalt supporting a few weedy plant species (Gilbert 1989). Instead of developing new parking lots (which will eventually succumb to the same fate), it makes sense to reinvest in older lots to make them more attractive to shoppers. Reinvestment will also help control urban sprawl, placing shopping near established neighborhoods and within the reach of existing infrastructure. Reinvestment may take the form of infill of existing lots by smaller businesses (e.g. restaurants) or revitalization of the original retail space. We applaud the businesses that have recently decided to locate in the declining CLM mall. Utilization of this lot is now much higher than in the period before the study (G.R.M., personal observation).

Abatement of Parking Lot Runoff

Stream damage can also be moderated by controlling runoff from existing parking lots. The quality of parking lot runoff can be improved, and natural infiltration increased, by runoff detention basins fitted with oil-skimming devices (Knowles and Stanley 1993). Vegetated buffer zones along streams and drainage ditches will slow runoff and act as a filter of pollutants (Lowrance and others 1984, Firehock and Doherty 1995).

Where possible, streamside areas should be restored to natural vegetation. For example, impervious grass lawns can be replanted with riparian trees species, such as willow (*Salix* spp.).

Conclusion

With automobiles almost universally available, modern communities will continue to expand in the pattern described as "suburban sprawl" (Jackson 1985, Matlack 1997), increasing paved surfaces and increasing stresses on stream communities. The stream damage described in this study is not inevitable, however. Suggestions put forward here are not technically difficult, nor are they expensive if one compares them with the cost of constructing unnecessary parking areas. The presence of several native fish species in our urban samples suggests that it may be possible to maintain seminatural streams in an urban community. Such compatibility depends on foresight at the planning stage and realistic estimates of where and when people will need to park their cars.

Acknowledgments

We thank the following for assisting with parking lot counts: Vicki Albanese, Robert Bankov, Diane Ehrman, and Art Karels. Steve Ross of the USM Museum of Ichthyology provided fish-collecting equipment and curatorial supplies. The USM Conservation Biology class assisted with fish sampling.

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Patricia Morris-Witmer

From: Paul Logue
Sent: Friday, September 3, 2021 8:47 AM
To: Steve Patterson; Nancy Bain Council 3rd Ward; John Kotowski; Austin Phillips (Austin@southeast-beverage.com); Andy Stone
Cc: Patricia Morris-Witmer
Subject: Written testimony from public hearing-- add to the record
Attachments: 2021-Aug Planning Cmsn testimony.pdf

Follow Up Flag: Follow up
Flag Status: Flagged

All—

Aimee Delach, chair of the city's sustainability commission sent me the attached statement last night and requested that it be included in the record for the public hearing.

Paul Logue, AICP
City Planner
City of Athens
8 East Washington Street
Athens, Ohio 45701
740-592-3338

Good evening. My name is Aimee Delach and I live on Morris Ave, and I am speaking tonight in my capacity as Chair of the The City of Athens Environment and Sustainability Commission, which is “tasked with providing advice and guidance on measures and policies that protect the environment and insure greater sustainability.”¹ The Commission has reviewed the proposed amendments to Title 23, Chapter 23.08, the “Off-Street Parking Requirements,”² and I am here to convey the Commission’s official SUPPORT of this resolution on the grounds that the proposed changes will help the city achieve the goals of the Athens Sustainability Action Plan.³

First, and most importantly: Humanity is facing a climate crisis,⁴ and we must dramatically reduce greenhouse gas emissions in order to avoid the worst impacts of climate change.⁵ The City in 2020 passed a Climate Emergency Resolution committing to end “citywide greenhouse gas emissions as quickly as possible and no later than 2030.”⁶ The transportation sector accounts for the single largest share-- nearly 30% -- of U.S. greenhouse gas emissions.⁷ The Sustainability Action Plan (published prior to this the Resolution) sets a goal of cutting transportation fuel usage for city residents by more than half by 2030. Similarly, under the Transportation Section of the Plan, best practices include: “Walk, bike or take public transportation whenever possible to lower costs, get exercise and reduce carbon emissions.” The parking minimums as currently designated in the zoning code contain an implicit assumption that every resident will own at least one car and that every trip will be by car, which is fundamentally incompatible with the City achieving a meaningful reduction in transportation-related greenhouse gas emissions. The changes before the Planning Commission tonight represent a step toward shifting our transportation and economic systems to a more sustainable footing.

Furthermore: The Plan’s Housing and Development Section notes that a “community priority” identified in scoping is to “Develop building and zoning standards that focus on bicycle and pedestrian orientation rather than auto orientation.” The proposed zoning change does exactly that by encouraging more bicycle parking and transit-oriented development.

The Economy Section’s definition of a sustainable economy includes the following: “externalities are appropriately included in pricing.” Current zoning requires the provision of substantially more space for cars than it requires for dwelling space,⁸ the cost of which is borne even by those residents who do not have or use a car. Similarly, businesses must incur the cost to provide

¹ <https://www.ci.athens.oh.us/316/Environment-and-Sustainability-Commission>

² <https://www.ci.athens.oh.us/DocumentCenter/View/9072/Request-from-Athens-City-Council-to-amend-A-CC-Title-23-Zoning-Code>

³ <https://www.ci.athens.oh.us/DocumentCenter/View/4591/SustainabilityPlan2018UpdateV11>

⁴ https://www.ipcc.ch/report/ar6/wg1/downloads/report/IPCC_AR6_WGI_SPM.pdf

⁵ https://www.ipcc.ch/site/assets/uploads/sites/2/2019/05/SR15_SPM_version_report_LR.pdf

⁶ <https://theathenseffect.com/2020/02/24/athens-city-commits-to-fighting-climate-change/>

⁷ 29% in 2019; <https://www.epa.gov/ghgemissions/inventory-us-greenhouse-gas-emissions-and-sinks>

⁸ Under current City Ordinance, at least two parking spaces are required per dwelling unit (23.10, Table B), at >180 square feet per space (23.08.01A). The required floor area of a dwelling unit is 140 square feet for the first occupant and 70 square feet for each additional occupant (29.17.01).

parking-- for some nearly equal to the floor area of their business⁹-- whether or not it is used. The change corrects that inappropriate pricing burden, potentially reducing the cost of housing for residents who choose not to own a car, and the cost burden on businesses that are accessible by transit, walking or biking, contributing to more successful and vibrant business districts.¹⁰

Thank you for your attention to the comments of the Environment and Sustainability Commission. I would be happy to answer any questions or provide further information that you might need.

⁹ Medical and dental clinics, restaurants, night clubs and retail shops must provide one space [>180 square feet per space (23.08.01A)] per 200 square feet of floor area (23.10, Table B).

¹⁰ "America's 250 million cars have an estimated 2 billion parking spots and spend 95% of their time parked. To make cities more equitable, affordable, and environmentally conscious, Shoup makes the case for three simple reforms: 1. Stop requiring off-street parking for new developments. 2. Price street parking according to market value, based on the desirability of the space, the time of day, and the number of open spots. 3. Spend that revenue on initiatives to better the surrounding neighborhoods."

<https://www.bloomberg.com/news/features/2021-08-31/why-free-parking-is-bad-according-to-one-ucla-professor>

Subject: Submitting comment for the public record to the Athens City Planning Commission regarding the proposal to amend Off-Street Parking and Loading-Unloading Regulations Athens City Zoning Code Title 23.

To: Athens City Planning Commission: Athens City Mayor Steve Patterson, Athens City Service-Safety Director Andy Stone, and members Nancy Bain, John Kotowski, and Austin Phillips.

----- Begin Statement -----

My name is Robert Barber-Delach, and I reside in the City of Athens, Ohio at 124 Morris Ave. I am submitting the following statement as a comment for the public record regarding the proposal to amend Off-Street Parking and Loading/Unloading Regulations in the Athens City Zoning Code Title 23.

The movement to reduce or eliminate parking requirements is widespread in the United States, it involves big cities, small towns, urban districts, suburban locales, affordable housing, and neighborhoods. It is widely accepted in the urban planning profession that reducing or even eliminating parking minimums is a good way to better manage cities and encourage smart growth. I am in support of city council's proposal to reduce on-street parking minimums because it makes good sense and over time will help make our city an even better place to live.

Why is reducing parking minimums such an important issue? Minimum parking requirements hinder the potential of Athens by filling our city with unproductive, empty parking spaces that don't add value to our city business districts or neighborhoods. They push homes and businesses farther apart, impede the walkability of our city, raise the cost of housing, and place an especially costly burden on small, local business owners, and low-income families and renters. In the absence of parking minimums, we'll still have parking—but we'll be free to decide how much it's worth to us and weigh its value against the other things we could do with the same finite, precious land. We'll no longer be forced to build more parking than we really need.¹

I've been hearing people suggest that reducing parking requirements will mean that you will be forced to walk or use transit to get to the grocery store and lose the option to park or drive your car. This is far from the truth. What it would do sometime in the future is enable options for tenants to either pay for parking as part of their rent or not, depending on their personal choice and economic situation. Parking requirements artificially raise rent prices and inhibit development of affordable housing. Most tenants who don't even own cars are often still expected to pay to cover the costs of parking in their rent. Which increases the cost of rent by an average of 17% in the United States². Over 10% of Athens City households do not own a car³. I know many young professionals, musicians, service industry workers, and elderly residents in this city that do not have a car. Why is city code contributing to forcing them to pay as if they owned one? Clearly, this is also an equity and social justice issue.

There is no such thing as free parking. Every parking space costs money, whether it is provided for tenants, or for customers and clients by business owners, and those costs are passed on in the form of higher prices for goods and services.

The transportation sector produces the highest portion of greenhouse gases in the U.S. There is nothing more sustainable and climate-friendly than walking, biking, and riding transit, which are already viable options here in Athens. This proposal would help to encourage more people in Athens to reduce their number of car trips, and even effectively live without a car, off-campus students included.

Reducing or removing parking minimums is NOT a crazy idea, it is a smart, progressive, business-friendly, homeowner-friendly, tenant-friendly, and sustainable thing to do.

----- End of Statement -----

References:

1 – Wording borrowed from Strong Towns, “What’s wrong with parking minimums”

<https://www.strongtowns.org/parking>

2 - Hidden Costs and Deadweight Losses: Bundled Parking and Residential Rents in the Metropolitan United States,” Housing Policy Debate (2017) 27: 219-229

3 - U.S. Census Bureau American Community Survey (ACS) 2019

Subject: Submitting comment for the public record to the Athens City Planning Commission regarding the proposal to amend Off-Street Parking and Loading-Unloading Regulations Athens City Zoning Code Title 23.

To: Athens City Planning Commission: Athens City Mayor Steve Patterson, Athens City Service-Safety Director Andy Stone, and members Nancy Bain, John Kotowski, and Austin Phillips.

I am submitting my comments in written form in lieu of presenting this statement at the regularly scheduled Sept. 16, 2021 Planning Commission meeting. Note that during the Sept 2 public meeting it was announced by the chair that comments on this proposal would still be taken at least through the next meeting on Sept. 16.

----- Begin Statement -----

My name is Rob Delach, I live at 124 Morris Ave. I am speaking to you this afternoon as a private citizen of the city of Athens, but I carry with me a unique perspective as a City of Athens Zoning Appeals Board member, and I want to talk briefly about that today. To be clear, I am not speaking in any official capacity for the Board of Zoning Appeals or the city administration, but only on my own behalf.

When considering requests for zoning variances, the BZA is required to take factors into account when granting variances, including practical difficulty, undue hardship, exceptional circumstances, preservation of equal property rights, absence of detriment, and minimum variance. It is often difficult to grant variances for individual property owners when considering all those factors. Many recent cases that have come before the board are for variances for on-site parking requirements.

Just this week, the BZA heard 2 such cases. I don't want to get into too much detail about these cases, but briefly... neither property owner was able to provide *any* on-site parking due to the configuration of their existing building and property and in addition, were not able to find any available parking to meet the requirement off-site within the 250' as required by code. One owner had to go over 1000' and the other over 2000' to find available parking to meet the city's requirements. In addition, one of those appellants didn't have a need to provide any parking on or off-site because they intend to cater to tenants that do not own cars.

Those are just 2 examples, but many more cases for on-site parking variances have come before the board in recent years.

On more than one occasion, the now chair of the BZA has stated that if we keep hearing the same types of zoning variance requests, which we have, especially in regard to on-site parking requirements, that it is an indication that the code is not working as expected and city council needs to make amendments to the code to rectify the situation.

Which brings us to right where we are at this moment. City Council has proposed changes to the code to address on-site parking requirements. I personally believe, based on my experience, and my understanding of the benefits that come with reducing parking minimums, to residents, property owners, and the city in general, that it is important that the Planning Commission send back the proposal to City Council largely intact without reducing the scope or intent of the proposed changes.

----- End Statement -----